

COMMITTEE ON APPROPRIATIONS
SENATE AMENDMENTS TO H.B. 2588
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-808, Arizona Revised Statutes, is amended to
3 read:

4 15-808. Arizona online instruction; reports; definitions

5 A. Arizona online instruction shall be instituted to meet the needs
6 of pupils in the information age. The state board of education shall
7 select district public schools and state-approved charter authorizers shall
8 sponsor charter schools to be online course providers or online
9 schools. The state board of education and state-approved charter
10 authorizers shall develop standards for the approval of online course
11 providers and online schools based on the following criteria:

12 1. The depth and breadth of curriculum choices.

13 2. The variety of educational methodologies employed by the school
14 and the means of addressing the unique needs and learning styles of
15 targeted pupil populations, including computer-assisted learning systems,
16 virtual classrooms, virtual laboratories, electronic field trips, ~~e-mail~~
17 EMAIL, virtual tutoring, online help desk, group chat sessions and
18 noncomputer-based activities performed under the direction of a
19 certificated teacher.

20 3. The availability of an intranet or private network to safeguard
21 pupils against predatory and pornographic elements of the internet.

22 4. The availability of filtered research access to the internet.

1 5. The availability of private individual ~~e-mail~~ EMAIL between
2 pupils, teachers, administrators and parents in order to protect the
3 confidentiality of pupil records and information.

4 6. The availability of faculty members who are experienced with
5 computer networks, the internet and computer animation.

6 7. The extent to which the school intends to develop partnerships
7 with universities, community colleges and private businesses.

8 8. The services offered to populations with developmental
9 disabilities.

10 9. The grade levels that will be served.

11 B. Each new school that provides online instruction shall provide
12 online instruction on a probationary status. After a new school that
13 provides online instruction has clearly demonstrated the academic integrity
14 of its instruction through the actual improvement of the academic
15 performance of its students, the school may apply to be removed from
16 probationary status. The state board of education or the state-approved
17 charter authorizer that sponsored the charter school shall remove from
18 Arizona online instruction any probationary school that fails to clearly
19 demonstrate improvement in academic performance within three years measured
20 against goals in the approved application and the state's accountability
21 system. All pupils who participate in Arizona online instruction shall
22 reside in this state. Pupils who participate in Arizona online instruction
23 are subject to the testing requirements prescribed in chapter 7, article 3
24 of this title. On enrollment, the school shall notify the parents or
25 guardians of the pupil of the state testing requirements. If a pupil fails
26 to comply with the testing requirements and the school administers the
27 tests pursuant to this subsection to less than ninety-five percent of the
28 pupils in Arizona online instruction, the pupil shall not be allowed to
29 participate in Arizona online instruction.

30 C. The state board of education and state-approved charter
31 authorizers shall develop annual reporting mechanisms for schools that
32 participate in Arizona online instruction.

1 D. The department of education shall compile the information
2 submitted in the annual reports by schools participating in Arizona online
3 instruction. The department of education shall submit the compiled report
4 to the governor, the speaker of the house of representatives and the
5 president of the senate by November 15 of each year.

6 E. Each school selected for Arizona online instruction:

7 1. Shall ensure that ~~a daily log is maintained for each pupil who~~
8 ~~participates in Arizona online instruction. The daily log shall describe~~
9 ~~the amount of time spent by each pupil participating in Arizona online~~
10 ~~instruction pursuant to this section on academic tasks. The daily log~~
11 ~~shall be used by the school district or charter school to qualify the~~
12 ~~pupils who participate in Arizona online instruction in the school's~~
13 ~~average daily attendance calculations pursuant to subsection F of this~~
14 ~~section~~ THE INSTRUCTIONAL TIME AND INSTRUCTIONAL HOURS REQUIREMENTS
15 PRESCRIBED IN THIS SECTION AND SECTION 15-901 ARE MET.

16 2. MAY USE ANY METHOD ALLOWED UNDER AN INSTRUCTIONAL TIME MODEL
17 ADOPTED UNDER SECTION 15-901.08 FOR THE PURPOSES OF THE CALCULATIONS
18 PURSUANT TO SUBSECTION F OF THIS SECTION.

19 F. If a pupil is enrolled in a school district or charter school and
20 also participates in Arizona online instruction, the sum of the average
21 daily membership, which includes enrollment as prescribed in section
22 15-901, subsection A, paragraph 1, subdivisions (a) and (b) and daily
23 attendance as prescribed in section 15-901, subsection A, paragraph 5, for
24 that pupil in the school district or charter school and in Arizona online
25 instruction shall not exceed 1.0. If the pupil is enrolled in a school
26 district or a charter school and also participates in Arizona online
27 instruction and the sum of the daily membership or daily attendance for
28 that pupil is greater than 1.0, the sum shall be reduced to 1.0 and shall
29 be apportioned between the school district, unless the school district is a
30 career technical education district subject to the apportionment
31 requirements of section 15-393, or charter school and Arizona online
32 instruction based on the percentage of total time that the pupil is

1 enrolled or in attendance in the school district or charter school and
2 Arizona online instruction. The uniform system of financial records shall
3 include guidelines for the apportionment of the pupil enrollment and
4 attendance as provided in this subsection. Pupils in Arizona online
5 instruction do not incur absences for purposes of this subsection and may
6 generate an average daily attendance of 1.0 for attendance hours during any
7 hour of the day, during any day of the week and at any time between July 1
8 and June 30 of each fiscal year. For kindergarten programs and grades one
9 through eight, average daily membership shall be calculated by dividing the
10 instructional hours as reported ~~in the daily log required in~~ PURSUANT TO
11 subsection E of this section by the applicable hourly requirements
12 prescribed in section 15-901. For grades nine through twelve, average
13 daily membership shall be calculated by dividing the instructional hours as
14 reported ~~in the daily log required in~~ PURSUANT TO subsection E of this
15 section by nine hundred. The average daily membership of a pupil who
16 participates in online instruction shall not exceed 1.0. Average daily
17 membership shall not be calculated on the one hundredth day of instruction
18 for the purposes of this section. Funding shall be determined as follows:

19 1. A pupil who is enrolled full-time in Arizona online instruction
20 shall be funded for online instruction ~~at ninety-five percent of the base~~
21 ~~support level that would be calculated for that pupil if that pupil were~~
22 ~~enrolled as a full-time student in a school district or charter school that~~
23 ~~does not participate in Arizona online instruction~~ IN THE SAME MANNER AS
24 FUNDING IS PROVIDED FOR A STUDENT IN A REMOTE SETTING PURSUANT TO SECTION
25 15-901.08. Charter additional assistance and district additional
26 assistance shall be calculated in the same manner they would be calculated
27 if the student were enrolled in a district or charter school that does not
28 participate in Arizona online instruction.

29 2. A pupil who is enrolled part-time in Arizona online instruction
30 shall be funded for online instruction ~~at eighty-five percent of the base~~
31 ~~support level that would be calculated for that pupil if that pupil were~~
32 ~~enrolled as a part-time student in a school district or charter school that~~

1 ~~does not participate in Arizona online instruction~~ IN THE SAME MANNER AS
2 FUNDING IS PROVIDED FOR A STUDENT IN A REMOTE SETTING PURSUANT TO SECTION
3 15-901.08. Charter additional assistance and district additional
4 assistance shall be calculated in the same manner they would be calculated
5 if the student were enrolled in a district or charter school that does not
6 participate in Arizona online instruction.

7 G. If the academic achievement of a pupil declines while the pupil
8 is participating in Arizona online instruction, the pupil's parents, the
9 pupil's teachers and the principal or head teacher of the school shall
10 confer to evaluate whether the pupil should be allowed to continue to
11 participate in Arizona online instruction.

12 H. To ensure the academic integrity of pupils who participate in
13 online instruction, Arizona online instruction shall include multiple
14 diverse assessment measures and the proctored administration of required
15 state standardized tests.

16 I. A school district or charter school may not charge a fee to a
17 pupil who takes an examination in a particular course to obtain academic
18 credit, pursuant to section 15-701.01, subsection I, from the school
19 district or charter school if the academic credit for a course was
20 previously earned in an Arizona online instruction course or at any public
21 school in this state. Any test administered pursuant to this subsection
22 shall be an assessment that is aligned to the course-relevant state
23 academic standards.

24 J. For the purposes of this section:

25 1. "Full-time student" means:

26 (a) A student who is at least five years of age before September 1
27 of a school year and who is enrolled in a school kindergarten program that
28 meets at least three hundred forty-six hours during the school year.

29 (b) A student who is at least six years of age before September 1 of
30 a school year, who has not graduated from the highest grade taught in the
31 school and who is regularly enrolled in a course of study required by the
32 state board of education. For first, second and third grade students, the

1 instructional program shall meet at least seven hundred twelve hours. For
2 fourth, fifth and sixth grade students, the instructional program shall
3 meet at least eight hundred ninety hours during the school year.

4 (c) Seventh and eighth grade students or ungraded students who are
5 at least twelve, but under fourteen, years of age on or before September 1
6 and who are enrolled in an instructional program of courses that meets at
7 least one thousand sixty-eight hours during the school year.

8 (d) For high schools, a student who has not graduated from the
9 highest grade taught in the school district, or an ungraded student who is
10 at least fourteen years of age on or before September 1, and who is
11 enrolled in at least four courses throughout the year that meet at least
12 nine hundred hours during the school year. A full-time student shall not
13 be counted more than once for computation of average daily membership.

14 2. "Online course provider" means a school other than an online
15 school that is selected by the state board of education or a state-approved
16 charter authorizer to participate in Arizona online instruction pursuant to
17 this section and that provides at least one online academic course that is
18 approved by the state board of education.

19 3. "Online school" means a school that provides at least four online
20 academic courses or one or more online courses for the equivalent of at
21 least five hours each day for one hundred eighty school days and that is a
22 charter school that is sponsored by a state-approved charter authorizer or
23 a district public school that is selected by the state board of education
24 to participate in Arizona online instruction.

25 4. "Part-time student" means:

26 (a) Any student who is enrolled in a program that does not meet the
27 definition in paragraph 1 of this subsection shall be funded at eighty-five
28 percent of the base support level that would be calculated for that pupil
29 if that pupil were enrolled as a part-time student in a school district or
30 charter school that does not participate in Arizona online instruction.

1 (b) A part-time student of seventy-five percent average daily
2 membership shall be enrolled in at least three subjects throughout the year
3 that offer for first, second and third grade students at least five hundred
4 thirty-four instructional hours in a school year and for fourth, fifth and
5 sixth grade students at least six hundred sixty-eight instructional hours
6 in a school year. A part-time student of fifty percent average daily
7 membership shall be enrolled in at least two subjects throughout the year
8 that offer for first, second and third grade students at least three
9 hundred fifty-six instructional hours in a school year and for fourth,
10 fifth and sixth grade students at least four hundred forty-five
11 instructional hours in a school year. A part-time student of twenty-five
12 percent average daily membership shall be enrolled in at least one subject
13 throughout the year that offers for first, second and third grade students
14 at least one hundred seventy-eight instructional hours in a school year and
15 for fourth, fifth and sixth grade students at least two hundred
16 twenty-three instructional hours in a school year.

17 (c) For seventh and eighth grade students, a part-time student of
18 seventy-five percent average daily membership shall be enrolled in at least
19 three subjects throughout the year that offer at least eight hundred one
20 instructional hours in a school year. A part-time student of fifty percent
21 average daily membership shall be enrolled in at least two subjects
22 throughout the year that offer at least five hundred thirty-four
23 instructional hours in a school year. A part-time student of twenty-five
24 percent average daily membership shall be enrolled in at least one subject
25 throughout the year that offers at least two hundred sixty-seven
26 instructional hours in a school year.

27 (d) For high school students, a part-time student of seventy-five
28 percent average daily membership shall be enrolled in at least three
29 subjects throughout the year that offer at least six hundred seventy-five
30 instructional hours in a school year. A part-time student of fifty percent
31 average daily membership shall be enrolled in at least two subjects
32 throughout the year that offer at least four hundred fifty instructional

1 hours in a school year. A part-time student of twenty-five percent average
2 daily membership shall be enrolled in at least one subject throughout the
3 year that offers at least two hundred twenty-five instructional hours in a
4 school year.

5 5. "State-approved charter authorizer" means any charter school
6 sponsor authorized pursuant to section 15-183."

7 Amend title to conform

2588APPROP
03/24/2022
11:07 AM
C: HN